

EXHIBIT C

1140711 169526 -6

1. REG. NO. 1140711	3. MARK 1000 VAN SCOY DIAMOND MINE	4. SER. NO. 001 169526
2. Registration Date 21 OCT 1980	5. Examiner	

6. INTERNATIONAL CLASS 14	7. PRIOR U.S. CLASS 28	8. FILING DATE 05/06/78	9. SERIAL NUMBER 169526
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10. APPLICANT AND POST OFFICE VAN SCOY DIAMOND MINES, INC. GATEWAY SHOPPING CENTER EDWARDSVILLE, PENNSYLVANIA 18704 PENNSYLVANIA (CORP.)	16. EXAMINER 111-PEVERADA ROBERT
11. SEND CORRESPONDENCE TO Michael F. Petock 3060 Valley Forge South 440 E. Swedesford Rd. Wayne, PA 19087	17. TYPE OF MARK TRADEMARK
12. Michael F. Petock	18. FIRST USE 03/11/1977 ICL 014 V 0071171970
13. Michael F. Petock	19. IN COMMERCE 03/11/1977 ICL 014 V 0071171970
14. ASSOCIATE ATTORNEY	20. PRIOR REGISTRATION

15. GOODS-SERVICES 014-JEWELRY AND PRECIOUS STONES
--

NEW CERTIFICATE
PTO-102L U.S. DEPT. OF COMMERCE - PATENT AND TRADEMARK OFFICE

21. Other Data *Applicant makes no claim to the exclusive use of the word "Diamond" apart from the mark as shown but reserves any common law rights it may have therein in accordance with Section 6 of the Trademark Act*

22. PRINCIPAL REGISTER	25. Supervisory Examiner
23. Section 8 <i>Robert Peverada</i>	26. Examiner
Section 15	27. Passed for Publication <i>Robert Peverada</i>
Section 120	28. Passed for Registration
24. Passed for Renewal <i>Frederick W. Mahel</i>	29. O.G. Date
Renewed From DECEMBER 21, 2000	

PUBLISHED
APR 29 1980

169526

73 169526
FILING DATE 05/08/1978 REGISTRATION # 1140711

CLASS
14

CONTENTS:

Application 169526
10 JAN 1979

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28. *2/28/79*
29. *2/28/79*
30. *2/28/79*
31. *2/28/79*

SEP 27 1979

NOTE

SECTION 8 & 15

JUN 9 1986

SECTION 8 & 9 4-11-01 PC

Int. Cl.: 14

Prior U.S. Cl.: 28

United States Patent and Trademark Office

Reg. No. 1,140,711
Registered Oct. 21, 1980

TRADEMARK
Principal Register

VAN SCOY DIAMOND MINE

Van Scoy Diamond Mines, Inc. (Pennsylvania
corporation)
Gateway Shopping Center
Edwardsville, Pa. 18704

For JEWELRY AND PRECIOUS STONES, in
CLASS 14 (U.S. Cl. 28).
First use Mar. 11, 1977; in commerce Mar. 11,
1977.

Applicant makes no claim to the exclusive use of
the word "Diamond" apart from the mark as shown,
but reserves any common law rights it may have
therein.

Sec. No. 169,526, filed May 8, 1978.

ROBERT PEVERADA, Primary Examiner

C0003

Int. Cl. 14
Prior U.S. Cls 28
United States Patent and Trademark Office
10 Year Renewal/New Cert.
Reg. No. 1,140,711
Registered Oct. 21, 1980
Renewal Term Begins Oct. 21, 2000

TRADEMARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED

VAN SCOY DIAMOND MINE

VAN SCOY, WAYNE (UNITED STATES
CITIZEN)
114 MUNDY STREET
WILKES-BARRE, PA 18702, BY ASSIGN-
MENT VAN SCOY DIAMOND MINES,
INC. (PENNSYLVANIA CORPORA-
TION) EDWARDSVILLE, PA
APPLICANT MAKES NO CLAIM TO
THE EXCLUSIVE USE OF THE WORD
"DIAMOND" APART FROM THE MARK
AS SHOWN, BUT RESERVES ANY COM-
MON LAW RIGHTS IT MAY HAVE
THEREIN.

FUR, JEWELRY AND PRECIOUS
STONES, IN CLASS 14 (U.S. CL. 21)

FIRST USE 3-11-1937, IN COMMERCE
3-11-1937.

SER. NO. 71-165,116, FILED 3-8-1937

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Oct. 2, 2001.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

C0004

MICHAEL F. PETOCK

ATTORNEY AT LAW
3221 IVE BUILDING
1700 MARKET STREET
PHILADELPHIA, PA. 19103

215-583-0800

May 4, 1978

PATENTS
—
TRADEMARKS
—
COPYRIGHTS

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

I am enclosing herewith the following document(s)
set forth below, which are to be filed in the Patent and
Trademark Office.

Please charge all government fees with respect to the
here-enclosed document(s) to my Deposit Account #16-1428.

In the case of document(s) comprising an Assignment,
please record the same, and return the recorded Assignment
to me.

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on _____.

Respectfully submitted,

BY: *Michael F. Petock*
MICHAEL F. PETOCK, ESQUIRE
Registration No. 26,015

MFP:mr
Encl.

~~XXXXXX~~ TRADEMARK / ~~XXXXXX~~ MARK APPLICATION ENTITLED:

"VAN SCOY'S DIAMOND MINE"

FILED BY: Van Scoy Diamond Mines, Inc.

FILING DATE:

SERIAL NO.:

ENCLOSED APPLICATION, DRAWING AND 5 SPECIMENS

443-2

1/2

C0005

169526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: VAN SCOY'S
DIAMOND MINE

International Class: 14

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:

(Van Scoy Diamond Mines, Inc.), a Pennsylvania Corporation
having a principal place of business at Gateway Shopping Center,
Edwardsville, Pennsylvania 18704, has adopted and is using the
trademark shown in the accompanying drawing for jewelry and precious
stones and requests that said mark be registered in the United
States Patent and Trademark Office on the Principal Register established
by the Act of July 5, 1946.

~~The trademark was first used in connection with the goods~~
at least as early as November, 1976; was first used in interstate
commerce at least as early as October, 1977 and is now in use in
such commerce.

~~The mark is used by applying it to the packages for the goods~~
~~and five specimen packages showing the mark as used are annexed~~
~~hereto.~~

Thomas A. Van Scoy, declares: that he is the President of
applicant corporation and is authorized to execute this Declaration
on behalf of said corporation; and that he believes said corporation
to be the owner of the mark sought to be registered; that to the
best of his knowledge and belief no other person, firm, corporation
or association has the right to use said mark in commerce, either
in the identical form or in such near resemblance thereto as may
be likely, when applied to the goods and services of such other person,
to cause confusion, or to cause mistake, or to deceive, and that
all statements made herein of his knowledge are true and that

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16-1428 2 201

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-1-

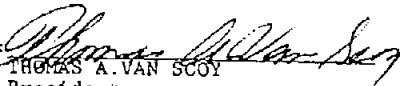
C0006

all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

VAN SCOY DIAMOND MINES, INC.

DATE: April 28, 1978

BY:



THOMAS A. VAN SCOY
President

Please recognize (Michael F. Petock, Esquire) Registration No. 26,015, (3232 IVB Building, 1700 Market Street, Philadelphia, Pennsylvania 19103,) telephone number 215-563-0500 as our attorney with full power of substitution and revocation to prosecute this application and to transact all business in connection therewith and to receive the Certificate of Registration.

VAN SCOY DIAMOND MINES, INC.

DATE: April 28, 1978

BY:


THOMAS A. VAN SCOY
President

INT. CL.	14
PRIOR U.S. CL.	28

169526

Van Scoy Diamond Mines, Inc.

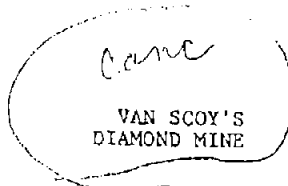
Gateway Shopping Center

Edwardsville, Pennsylvania 18704

Date of First Use: At least as early as November, 1976.

Date of First Use in Interstate Commerce: At least
as early as October, 1977.

For: Jewelry and Precious stones.

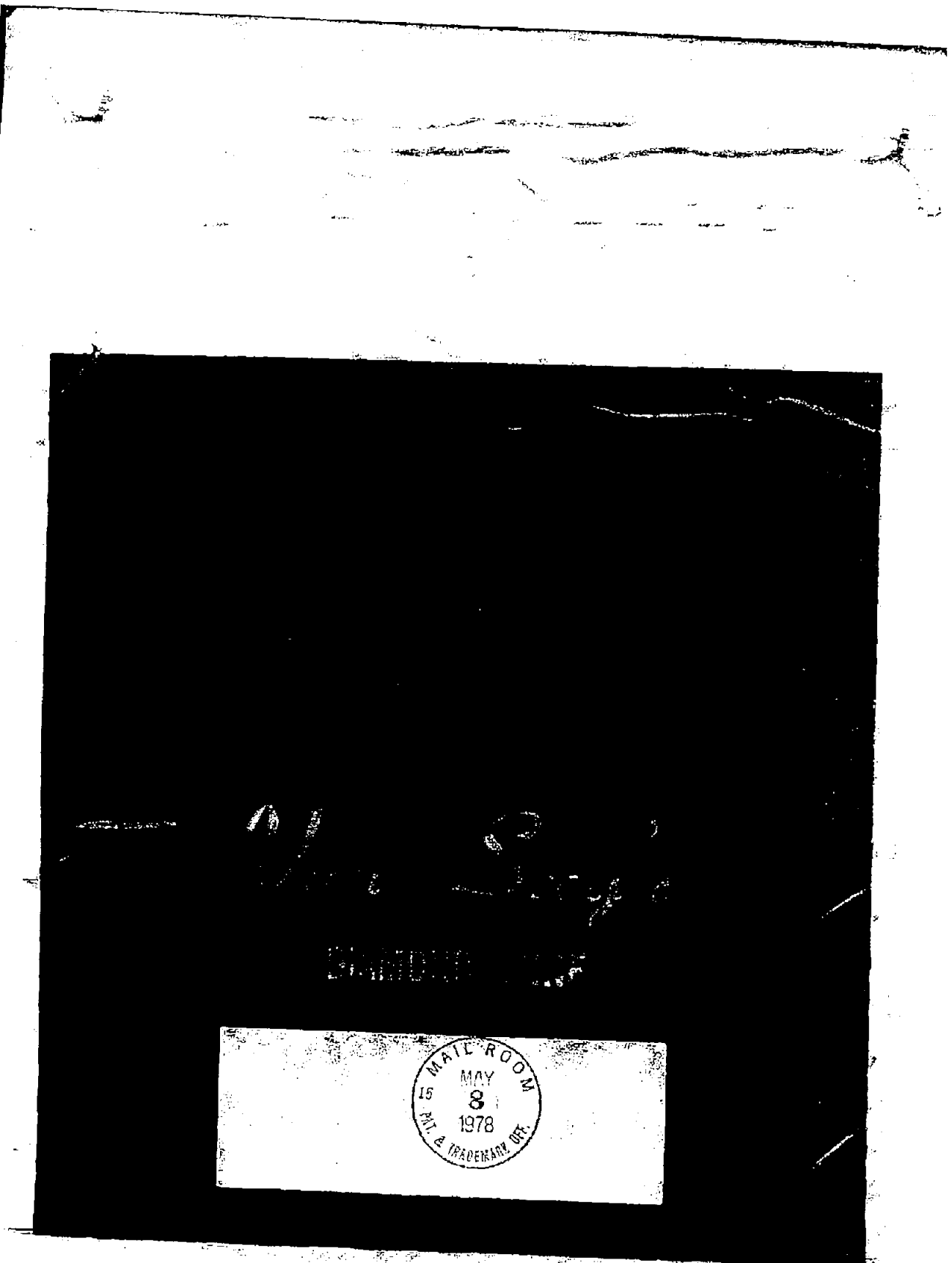


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P 433-2

4

C0008



C0009

		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
IN REPLY REFER TO THE FOLLOWING AND THE FILING DATE:			
1. SER. NO. 169520	2. MARK VAN SCOY'S DIAMOND MINE (443-2)	(P-)	3. PAPER NO. X
3. APPLICANT VAN SCOY DIAMOND MINES, INC.		ADDRESS COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON D. C. 20231 AND FURNISH YOUR ZIP CODE AND TELEPHONE NUMBER IN ALL CORRESPONDENCE	6. MAKING DATE 16 JAN 1979
4. ADDRESS MICHAEL F. PETOCK 3232 IVE BLDG. 1700 MARKET ST. PHILADELPHIA, PENNSYLVANIA 19103 <small>FORM PTO 50-33 (REV. 12-76) (FORMERLY PTO-1293) U.S. DEPT. OF COMM. Pat & TM Office</small>			

After review of the above identified application for trademark and/or service mark registration, applicant is advised as follows:

Applicant is advised that an application is pending in this Office for the registration of a mark which so resembles applicant's mark as to be likely, as used in connection with the goods and/or services, to cause confusion, or to cause mistake, or to deceive. Since the filing date of the instant application is subsequent to the filing date of the other pending application, the latter, if and when it matures into a registration, will be cited against the instant application. Trademark Rule 2.83. A photocopy of the drawing from the pending application, Serial No. 164475, as filed in the Trademark Search Room, is attached.

The descriptive word(s) "diamond" should be disclaimed apart from the mark as shown. Section 6 of the Trademark Act; TMEP Sections 904.02(a) and (e).

The specimens are not acceptable because they are in the nature of retail shopping bags and, as such, are not regarded as evidence of actual trademark use. Applicant should submit five specimens (e.g., tags, labels, or containers or photographs thereof) of a type actually used. Use of the substitute specimens as of a date at least as early as the filing date of this application must be supported by an affidavit or by a declaration in accordance with Trademark Rule 2.20. TMEP Section 808.10. The specimens do not show use in interstate commerce.

A proper response to THIS OFFICE action must be received within 6 months from the date of this action in order to avoid ABANDONMENT.

PTOL-87

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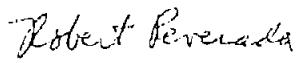
1-Trademark Application File Copy

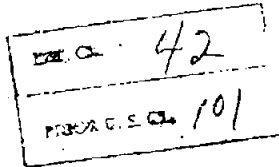
C0010

-2-

A search of the Office records fails to show that the mark, when applied to applicant's goods and/or services, so resembles any registered mark as to be likely to cause confusion, or to cause mistake, or to deceive. TMEP Section 1105.01.

R.P.:jec


Robert Peverada
Trademark Attorney, Div. 5
(703) 557-5380



164475

APPLICANT - The Diamond Mine, Ltd.

P.O. ADDRESS - 65 Passaic Avenue, Fairfield, New Jersey 07006

DATE OF FIRST USE - October 7, 1977 COMMERCE - on or about
November 1, 1977

GOODS or SERVICES - retail jewelry store services

THE DIAMOND MINE

3

1





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of Trademark Div.

Van Scoy Diamond Mines, Inc.

Serial No: 169,526

For: "VAN SCOY'S DIAMOND MINE"

Examiner:

NOTICE OF CHANGE OF ADDRESS AND TELEPHONE NUMBER

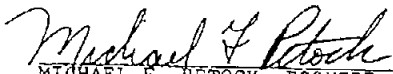
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Please be advised that the address of the attorney of record in the above-identified matter has changed to the new address as follows:

Michael F. Petock, Esquire
2414 P.S.F.S. Building
12 S. Twelfth Street
Philadelphia, Pennsylvania 19107

With the new telephone number (215) 922-5550.

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE
Registration No. 26,015
2414 P.S.F.S. Building
12 S. Twelfth Street
Philadelphia, Pennsylvania 19107
(215) 922-5550

8



TM/N
3/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Trademark Application of Trademark Division V
Van Scoy Diamond Mines, Inc. ✓
Serial No: 169,526 ✓
For: "VAN SCOY DIAMOND MINE" ✓ Examiner: Robert Peverada

AMENDMENT

In response to the Office Action dated January 16, 1979,
please amend, without prejudice, the above-identified trademark
application as follows:

Please amend the mark in accordance with the new drawing
submitted herewith.

Please amend the recitation of dates of use and the recitation
of the manner of use as follows:

--The trademark was first used by a predecessor in title in
connection with the goods at least as early as March 11, 1977; was
first used in interstate commerce by a predecessor in title at least
as early as March 11, 1977 and is now in use in such commerce.

The mark is used by applying it to containers for the goods
in the form of ring boxes and five specimen photographs showing the
mark as used on the ring boxes are annexed hereto.--

Applicant makes no claim to the exclusive use of the word
"DIAMOND" apart from the mark as shown in the drawings, but reserves
any commonlaw rights it may have therein in accordance with Section
6 of the Trademark Act.

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58796 08/30/79 169526

16-142B 1 201

35.00CH

443-2

C0014

REMARKS

Applicant has amended the mark to bring it into exact conformance with the new specimens being submitted herewith. The new specimens being submitted are photographs of ring boxes showing the mark as used on the inside cover. The ring boxes do not fit the requirement of a flat specimen as required by the rules. Therefore, the photographs were taken of the ring boxes to show the mark on the inside of the top of the ring boxes.


The date of first use of the mark in interstate commerce has been amended to bring it into conformance to the fact that it was actually in use in interstate commerce on March 11, 1977, rather than at least as early as October 19, 1977 as recited in the application as originally filed. Applicant has ascertained this after a detailed review of the facts. In addition, the dates of first use in intrastate and interstate commerce are recited to be by a predecessor in title, namely the sole proprietorship of Mr. Thomas A. Van Scoy. The amendment to the date of first use in interstate commerce and the fact that it was by a predecessor in title, are supported by the Declaration of Mr. Thomas A. Van Scoy, which accompanies this amendment.

The application has been amended to recite that the mark is used by applying it to containers for the goods, namely ring boxes. The container specimens overcome the objection of the Examiner as to the specimens, and is specifically one of the types of specimens suggested by the Examiner.

Applicant has disclaimed the word "DIAMOND" apart from its mark as shown in accordance with the request of the Examiner by disclaiming any exclusive right to use the word "DIAMOND" apart from the mark as shown in the drawings, but reserves any common law rights it may have therein in accordance with Section 6 of the Trademark Act.

Applicant notes with great regret and dismay the failure of the Examiner to comply with TMEP Section 1206.02 (b) by his failure to give notice to applicant when the earliest application, application serial no. 164,475, was forwarded for publication. Applicant had relied upon the Examiner's duty to give such notice and this notice has been customarily received in the past.

VAN SCOY DIAMOND MINES, INC.

BY: 
MICHAEL F. PETOCK, ESQUIRE
Attorney for Applicant
Registration No. 26,015
2414 P.S.F.S. Building
12 S. 12th Street
Philadelphia, Pennsylvania 19107
(215) 922-5550



Jan

LAW OFFICES OF
MICHAEL F. PETOCK
2414 PSFS BUILDING
12 SOUTH TWELFTH STREET
PHILADELPHIA, PA 19107

TELEPHONE
215-922-5530
July 2, 1979

PATENT, TRADEMARK
AND
RELATED MATTERS

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

I am enclosing herewith the following document(s)
set forth below, which are to be filed in the Patent and
Trademark Office.

Please charge all government fees with respect to the
here-enclosed document(s) to my Deposit Account #16-1428.

In the case of document(s) comprising an Assignment,
please record the same, and return the recorded Assignment
to me.

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on July 2, 1979

Respectfully submitted,

BY: Michael F. Petock
MICHAEL F. PETOCK, ESQUIRE
Registration No. 26,015

MFP:mr
Encl.

~~XXXXXX~~/TRADEMARK/~~XXXXXX~~ APPLICATION ENTITLED: "VAN SCOY DIAMOND MINE

FILED BY: Van Scoy Diamond Mines, Inc.

FILING DATE: May 8, 1978

SERIAL NO: 169,526

ENCLOSED AMENDMENT, DECLARATION OF THOMAS A. VAN SCOY, NEW DRAWING
5 PHOTOGRAPHS
FEE: \$35.00

C0017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Trademark Application of Trademark Division V
Van Scoy Diamond Mines, Inc.
Serial No: 169,526
For: "VAN SCOY DIAMOND MINE" Examiner: Robert Peverada

DECLARATION OF THOMAS A. VAN SCOY

I, Thomas A. Van Scoy, declare as follows:

1. I am the president of the applicant corporation.
2. The trademark sought to be registered for jewelry and precious stones was first used by a predecessor in title, namely myself, for jewelry and precious stones at least as early as March 11, 1977 and was first used by a predecessor in title, namely myself, in interstate commerce at least as early as March 11, 1977.
3. The trademark sought to be registered is now in use in intrastate and interstate commerce with respect to jewelry and precious stones.
4. The trademark is used on the inside of the top cover of ring boxes and five photograph specimens clearly showing the use of the mark on the inside of the top cover of the ring boxes as actually used at least as early as May 8, 1978, the filing date of this application, are attached to this response.

Thomas A. Van Scoy declares that he is authorized to execute this Declaration on behalf of applicant; and that he believes applicant to be the owner of the mark sought to be registered; that to the best of his knowledge and belief no other person, firm, corporation* or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods of such other person to

cause confusion, or to cause mistake, or to deceive; that all statements made herein and the accompanying Amendment are of his own knowledge true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or document or any registration resulting therefrom.

VAN SCOY DIAMOND MINES, INC.

DATE: June 26, 1979


THOMAS A. VAN SCOY
President

* The Diamond Mine, Ltd. has no legal nor proper right to use applicant's mark or any mark likely to cause confusion therewith.

Proposed

167526

Van Scoy Diamond Mines, Inc.

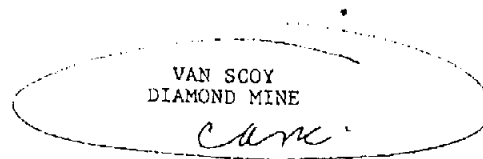
Gateway Shopping Center

Edwardsville, Pennsylvania 18704

Date of First Use: At least as early as March 11, 1977;

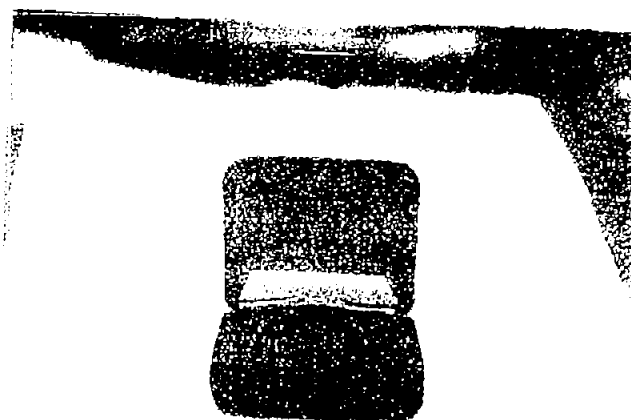
Date of First Use in Interstate Commerce: At least
as early as March 11, 1977;


For: Jewelry and precious stones



433-2

C0020



 U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
IN REPLY REFER TO THE FOLLOWING AND THE FILING DATE:	
1. SER. NO.	2. MARK
169526	VAN SCOY DIAMOND MINE
3. APPLICANT	5. PAPER NO.
VAN SCOY DIAMOND MINES, INC.	
4. ADDRESS	6. MAILING DATE
MICHAEL F. PETOGK 2414 P.S.P.S. BLDG. 12 S. TWELFTH ST. PHILADELPHIA, PA 19107	ADDRESS COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON D. C. 20231 AND FURNISH YOUR ZIP CODE AND TELEPHONE NUMBER IN ALL CORRESPONDENCE SEP 27 1979

Responsive to communication filed May 11, 1979.

Applicant is advised that its reply has been closely reviewed and made of record. However, application serial number 164,475 has since matured to registration. Accordingly, the following action has been taken in the case at hand:

Registration is refused because the mark, when applied to the goods and/or services of the applicant, so resembles the mark(s) cited below as to be likely to cause confusion, or to cause mistake, or to deceive. Section 2(d) of the Trademark Act; TMEP Section 1205. (see attached copies):

Reg. No(s). 1,111,524

The instant applicant has adopted the entirety of the registered mark and added nothing of Trademark significance to it. In cases such as this, doubt as to the likelihood of confusion must be resolved against the later user. See Jiffy Inc. v. Jordon Industries, Inc., 179 USPQ 169.

If applicant chooses to respond to the refusal of record, the following additional informalities should be addressed in applicant's written response:

Applicant should submit a new drawing of the mark, typed entirely on the same line.

For the applicant's information, it should be noted that the above cited registration was pointed out by the Examiner in the initial Office Action. At this time the actual registration had not yet been recorded by this Office, so there was no way in which the Examiner could have been aware of said registration number. For all purposes it appeared that the registered mark was still pending. It should be further noted that it is not incumbent upon the Examiner to check the Official Gazette for published marks confusingly

A proper response to THIS OFFICE action must be received within 6 months from the date of this action in order to avoid ABANDONMENT.

101-28

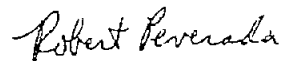
1-Trademark Application File Co

C0022

-2-

similar to each application, but rather upon the applicant, or, its attorney. This Office should not be held responsible for their failure to do so.

RP:dlh



Robert Peverada
Trademark Attorney, Div. V
703 - 557-5380

Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Reg. No. 1,111,524

Registered Jan. 16, 1979

SERVICE MARK

Principal Register

THE DIAMOND MINE

The Diamond Mine, Ltd. (New Jersey corporation)
65 Passaic Ave.
Fairfield, N.J. 07006

For: RETAIL JEWELRY STORE SERVICES, in
CLASS 42 (U.S. Cl. 101).

First use on or about Oct. 7, 1977; in commerce on or
about Nov. 1, 1977.

The right to the exclusive use of the word "Diamond"
is disclaimed apart from the mark as shown.

Ser. No. 164,475, filed Mar. 31, 1978.

C0024

LAW OFFICES OF
MICHAEL F. PETOCK
2414 PSFS BUILDING
12 SOUTH TWELFTH STREET
PHILADELPHIA PA. 19107

PATENT, TRADEMARK
AND
RELATED MATTERS

TELEPHONE
215 922-5550

January 10, 1980

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:


I am enclosing herewith the following document(s)
set forth below, which are to be filed in the Patent and
Trademark Office.

Please charge all government fees with respect to the
here-enclosed document(s) to my Deposit Account #16-1428

In the case of document(s) comprising an Assignment,
please record the same, and return the recorded Assignment
to me.

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on _____

Respectfully submitted,

BY: 
MICHAEL F. PETOCK, ESQUIRE
Registration No. 26,015

MFP:mr
Encl.

~~PATENT~~/TRADEMARK/~~DESIGN~~ APPLICATION ENTITLED: "VAN SCOY DIAMOND
MINE"

FILED BY: Van Scoy Diamond Mines, Inc.

FILING DATE: May 8, 1978

SERIAL NO: 169,526

ENCLOSED AMENDMENT, NEW DRAWING, COPY OF CANCELLATION OF REG. #1,111,524

C0025

5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Application of / Trademark Division V
VAN SCOY DIAMOND MINES, INC.
Serial No. 169,526 /
For: "VAN SCOY DIAMOND MINE" Examiner: Robert Peverada

AMENDMENT

In response to the Office Action dated September 27, 1979 in the above-identified service mark application, please amend, without prejudice, the drawing by substitution of the new drawing attached hereto as required in the Examiner's Office Action of September 27, 1979.

The refusal to register based upon registration no. 1,111,524 has been overcome by the cancellation of said registration. A copy of the judgment in Cancellation no. 12,279 is attached hereto.

In view of the above, it is believed that the mark in this application is now in condition for publication in the Trademark Official Gazette.

If Trademark Attorney Examiner should discover any other informality, he is respectfully requested to telephone the undersigned collect in an effort to resolve the matter possibly by Examiner's Amendment.

Respectfully submitted,

VAN SCOY DIAMOND MINES, INC.

By:

Michael F. Petoock
MICHAEL F. PETOOCK, ESQUIRE
2414 P.S.F.S. Building
12 S. Twelfth Street
Philadelphia, Pennsylvania 19107
(215) 922-5550

Sub.
D-14

Sub. Dmg.

169526

Van Scoy Diamond Mines, Inc.

Gateway Shopping Center

Edwardsville, Pennsylvania 18704

Date of First Use: At least as early as March 11, 1977;

Date of First Use in Interstate Commerce: At least as
early as March 11, 1977

For: Jewelry and precious stones.

VAN SCOY DIAMOND MINE

1140711

REGISTERED

OCT 27 1991

INT. & INT. TRADE

PUBLISHED
APR 29 1993

C0027

U. S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
Washington, D.C. 20231

J. Clark

APPLICANT: MARK
ISSUED: VAN SOOY DIAMOND MINE

APPLICANT:
Van Sooy Diamond Mines, Inc.

PUBLICATION DATE
APR. 29, 1900

NOTICE OF PUBLICATION UNDER SECTION 12(b)

The mark of the application above identified appears to be entitled to registration. The mark will, in accordance with section 12(b) of The Trademark Act of 1796, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be injured by the registration of the mark. If no opposition is filed within the time specified by section 13 of the statute or by Rules 2.101 and 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a Certificate of Registration.

Copies of the Trademark portion of the Official Gazette containing the publication of the mark may be obtained at \$1.75 each from the Superintendent of Documents, Government Printing Office.

By Direction of the Commissioner

SEND COPY OF CERTIFICATE TO:

RICHARD J. METZGER
2415 E. 12th Ave.
Denver, Colo.
Bldg. 1115, RA, 19107

C0028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Trademark/Service Mark Registration No.: 1,140,711

Issue date: October 21, 1980

For: "VAN SCOY DIAMOND MINE"

Registrant: Van Scoy Diamond Mines, Inc. Section 8 §15 Branch


NOTICE OF CHANGE OF ADDRESS AND TELEPHONE NUMBER

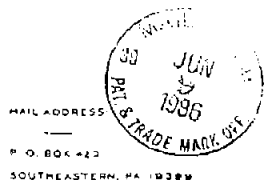
Please be advised that the address and telephone number of the attorney of record in the above-identified matter will change effective August 3, 1984, to the following address and telephone number:

Michael F. Petock, Esquire
Michael F. Petock, Esq., P.C.
3060 Valley Forge South
440 East Swedesford Road
Wayne, PA 19087

New telephone number (215) 687-3300

Respectfully submitted,


Michael F. Petock, Esquire
Michael F. Petock, Esq., P.C.
Registration No. 26,015
3060 Valley Forge South
440 East Swedesford Road
Wayne, PA 19087



LAW OFFICES OF
MICHAEL F. PETOCK
3080 VALLEY FORGE SOUTH
440 E. SWEDSFORD ROAD
WAYNE, PENNSYLVANIA 19067
TELEPHONE
215.687.5300

PATENT, TRADEMARK
AND
RELATED MATTERS

June 5, 1986

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

I am enclosing herewith the following document(s) set forth below, which are to be filed in the Patent and Trademark Office.

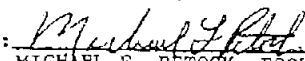
Please charge all government fees with respect to the here-enclosed document(s) to my Deposit Account #16-1428. All government fees with respect to the enclosed document(s) are to be charged to this Deposit Account in the correct amount whether or not the correct amount of the fee or any amount of the fee is indicated below.

In the case of document(s) comprising an Assignment, please record the same, and return the recorded Assignment to me.

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231, on 6/5/86.

By: 
MICHAEL F. PETOCK, ESQUIRE

MFP:mjs

~~PATENT/TRADEMARK/REGISTERED~~ APPLICATION ENTITLED: "VAN SCOY DIAMOND MINE"

FILED BY: Van Scoy Diamond Mines, Inc.

REGISTRATION

~~FILED~~ DATE: October 21, 1980

REGISTRATION

~~EXAMIN~~ NO.: 1,140,711

ENCLOSED: COMBINED DECLARATIONS UNDER §§8 & 15 WITH ONE ATTACHED SPECIMEN;
FEE: \$200.00

PHOTOGRAPH

C0030

TM #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: VAN SCOY DIAMOND MINE

Registration No. 1,140,711

Registered: October 21, 1980

International Class: 14

U.S. Class: 28

WHEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231, ON THE DATE INDICATED BELOW

DATE 11/6/5/86
BY 271. [Signature]

COMBINED DECLARATIONS UNDER SECTIONS 8 and 15

Thomas A. Van Scoy states that he is President of Van Scoy Diamond Mines, Inc., a Pennsylvania corporation, having a place of business at Gateway Shopping Center, Edwarsville, Pennsylvania 18704; that Van Scoy Diamond Mines, Inc. owns registration no. 1,140,711 issued October 21, 1980; that the mark shown therein has been in continuous use in interstate commerce for five consecutive years from October 21, 1980 to the present for jewelry and precious stones; and that said mark is still in use in interstate commerce as evidenced by the attached photograph specimen showing the mark as currently used on ring boxes; that there has been no final decision adverse to registrant's claim of ownership of the mark or to its right to register the same or maintain it on the register; and that there is no proceeding involving any of said rights pending and not dis-

P 30500 06/12/86 1140711 18-142H 030 311 200.00EH

443-2
8+15AFF

C0031

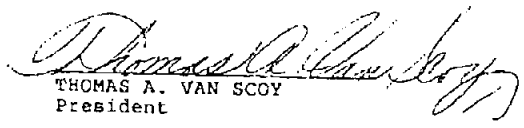
posed of either in the United States Patent and Trademark Office or in the Courts.

Registrant hereby appoints Michael F. Petock, Esquire, registration no. 26,015, with a mailing address of P.O. Box 423, Southeastern, Pennsylvania 19399 and a street address of 3060 Valley Forge South, 440 E. Swedesford Road, Wayne, Pa. 19087 (telephone no. 215-687-3300), as its attorney to file and prosecute this Combined Declaration under Sections 8 and 15 and to do all things in the United States Patent and Trademark Office in connection therewith with full power of substitution and revocation.

The undersigned declares: that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the registration identified above.

VAN SCOY DIAMOND MINES, INC.

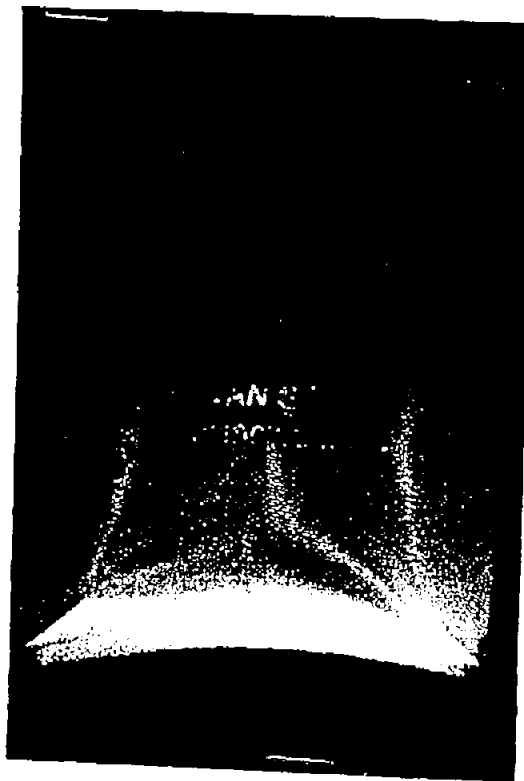
Date: 6/3/86


THOMAS A. VAN SCOY
President

443-2
6+15AFF

-2-

C0032





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

REGISTRATION NO. 1140711

SERIAL NO. 73/169526

PAPER NO.

MAILING DATE: 09/29/86

MARK: VAN SCOY DIAMOND MINE

REGISTRANT: VAN SCOY DIAMOND MINES, INC.

CORRESPONDENCE ADDRESS:

MICHAEL F. PETOCK
3060 VALLEY FORGE SOUTH
440 E. SWEDESFORD RD.
WAYNE, PA 19087

Please furnish the following
in all correspondence:

1. Your phone number and zip code.
2. Mailing date of this action.
3. Affidavit-Renewal Examiner's name.
4. The address of all correspondence
not containing fees should include
the words "Box 5".
5. Registration No.

RECEIPT IS ACKNOWLEDGED OF THE SUBMITTED REQUEST UNDER:

SECTION 8 OF THE TRADEMARK STATUTE AND 37 CFR SECS. 2.161-2.166.

SECTION 15 OF THE TRADEMARK STATUTE AND 37 CFR SECS. 2.167-2.168.

YOUR REQUEST FULFILLS THE STATUTORY REQUIREMENTS AND HAS BEEN ACCEPTED.

PATRICIA ANN EVERETT
AFFIDAVIT-RENEWAL EXAMINER
TRADEMARK EXAMINING OPERATION
(703) 557-1988

C0034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Trademark Registration No.: 1,140,711

Registered: October 21, 1980

For: "VAN SCOY DIAMOND MINE"

Registrant: Van Scoy Diamond Mines, Inc.

NOTICE OF CHANGE OF ADDRESS

Please be advised that the address and telephone number of the attorney of record in the above-identified matter will change effective December 2, 1986 as follows:

Michael F. Petock, Esquire
46 The Commons at Valley Forge
1220 Valley Forge Road
Post Office Box 856
Valley Forge, Pennsylvania 19481-0856


(215) 935-8600

The telephone number of (215) 687-3300 will be retained in addition to the new number.

Respectfully submitted,

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE A FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20501, ON THE DATE INDICATED BELOW

DATE December 9, 1986
BY Michael F. Petock


MICHAEL F. PETOCK, ESQUIRE
Registration No. 26,015
46 The Commons at Valley Forge
1220 Valley Forge Road
Post Office Box 856
Valley Forge, PA 19481-0856
(215) 935-8600

EXPRESS MAIL CERTIFICATE

NO. EL840038641US

FAX 810-933-9300
MFP@iPLaw-Petock.com
www.iPLaw-Petock.com

LAW OFFICES OF
MICHAEL F. PETOCK
INTELLECTUAL PROPERTY ATTORNEY
46 THE COMMONS AT VALLEY FORGE
1220 VALLEY FORGE ROAD
POST OFFICE BOX 858
VALLEY FORGE, PENNSYLVANIA 19482-0858

PATENT, TRADEMARK
AND
RELATED MATTERS

TELEPHONE
810-935-8600

April 16, 2001

ATTORNEY DOCKET 443-2

Box POST REG FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

U.S. PATENT & TRADEMARK OFFICE

04-16-2001

U.S. PATENT & TRADEMARK OFFICE

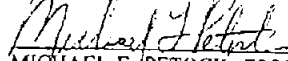
Dear Sir:

I am enclosing herewith the following document(s) set forth below, which are to be filed in the Patent and Trademark Office.

Please charge all government fees with respect to the here-enclosed document(s) to my Deposit Account #16-1428. All government fees with respect to the enclosed document(s) are to be charged to this Deposit Account in the correct amount whether or not the correct amount of the fee or any amount of the fee is indicated below.

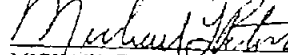
Please immediately date stamp and return to me the enclosed postage prepaid post card as acknowledgment of receipt of the enclosed document(s).

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box Post Reg Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA on April 16, 2001.

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE

MFP/rkm

Trademark Entitled: VAN SCOY DIAMOND MINE
Registration No.: 1,140,711

Filed By: Van Scoy Diamond Mines, Inc.

ENCLOSED: Combined Application for Renewal Under Section 9 and Declaration under Section 8 including specimen in the form of the inside of a box for holding the goods

FEE: \$825.00

C0036

PRU
EX. LESS MAIL CERTIFICATE
NO. EL840038643US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Mark: VAN SCOY DIAMOND MINE
Registration No. 1,140,711
International Class: 14
04-16-2001
U.S. Patent & Trademark Office

COMBINED APPLICATION FOR RENEWAL UNDER SECTION 9
AND DECLARATION UNDER SECTION 8

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Wayne Van Scoy, an individual having a principal place of business at 154 Mundy Street, Wilkes-Barre, Pennsylvania 18702, now owns Registration No. 1,140,711 issued October 21, 1980 by reason of a transfer of rights via a Bankruptcy Proceeding of all right and title to said trademark registration, said trademark and the good will associated with said trademark, said transfer of rights being submitted herewith for recording in the Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946. The registrant requests that the registration be renewed for jewelry and precious stones in International Class 14.

Pursuant to Section 8 of the Trademark Act, the owner is using through a related company the mark in commerce on or in connection with jewelry and precious stones, as evidenced by the attached specimen in the form of the inside of a box for holding the goods showing the mark as currently used in commerce.

If possible, it is requested that the renewed registration be issued with a new certificate of registration (reprinted) showing Wayne Van Scoy as the owner of the

registration. If necessary, you are authorized to procure a trademark title report showing recorded title in the name of Wayne Van Scoy.

Wayne Van Scoy declares: that he is the owner of Registration No. 1,140,711, that the mark shown therein is in use through a related company in interstate commerce in connection with jewelry and precious stones as recited in the registration; that the attached specimen in the form of the inside of a box for holding the goods shows the mark as currently used in connection with said goods; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Please recognize Michael F. Petock, Esquire, a member of the Bars of the Supreme Court of the United States and the Supreme Court of Pennsylvania, Registration No. 26,015, who has a mailing address of P.O. Box 856, Valley Forge, Pennsylvania 19482-0856 and a street address of 1220 Valley Forge Road, Valley Forge, Pennsylvania 19482-0856, telephone number (610) 935-8600, facsimile number (610) 933-9300, as my attorney with full power of substitution and revocation to prosecute this application and to transact all business in connection therewith.


Date: 4-13-01

Wayne Van Scoy
Wayne Van Scoy

You are authorized to charge the following fees in connection with his application to the undersigned's deposit account 16-1428:

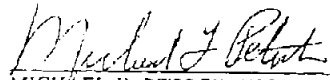
Fee for Section 9 Declaration	\$400.00
Additional Fee for Grace Period of Section 9	\$100.00
Fee for Section 8 Declaration	\$100.00
Additional Fee for Grace Period of Section 8	\$100.00
Issuance of a new Certificate of Registration (Reprinting) showing new owner	\$100.00
Title Report	\$25.00
Total	\$825.00

Additionally, you are authorized to charge any additional fees necessary in connection with this filing or credit any overcharges to the Undersigned's deposit account 16-1428.


 MICHAEL F. PETOCK, ESQUIRE
 Registration No. 26,015

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box POST REG FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the date shown below.


 MICHAEL F. PETOCK, ESQ. April 16, 2001
 DATE

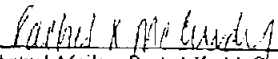
—
| Van Scoy |
—

CERTIFICATE OF MAILING BY EXPRESS MAIL

EXPRESS MAIL Mailing Label No.: EL840028641US

Date of Deposit: April 16, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Box POST REG FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.


Actual Mailer: Rachel K. McCardy
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
(610) 935-8600
Facsimile: (610) 701-0604

- Document(s) Express Mailed: (1) Registration No. 1,140,711;
Combined Application for Renewal Under Section 9 and
Declaration under Section 8 including specimen in the
form of the inside of a box; Fee: \$825.00
- (2) Registration No. 1,140,958;
Combined Application for Renewal Under Section 9 and
Declaration under Section 8 including certificate and
sales receipt specimens; Fee: \$825.00
- (3) Trademark Recordation Cover Sheet; Order of the
United States Bankruptcy Court for the Middle District
of Pennsylvania dated 1/4/01 in the matter of re: Thomas
Van Scoy, Debtor including Memorandum Re: Transfer
of Trademark and Service Mark, Registrations, Good
Will and Right to Recover for Past Infringement;
Fee: \$65.00
- (4) Letter of Michael F. Petrock, Esquire.